

3/22/19

2:49 P.M.

Chapter No. 392
19/SS36/R914
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SENATE BILL NO. 2723

Originated in Senate Liz Wehr Secretary

SENATE BILL NO. 2723

AN ACT TO AMEND SECTION 35-1-21, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE VETERANS AFFAIRS BOARD TO PROVIDE SERVICES TO STATE VETERANS HOMES, AND TO PROVIDE THAT CERTAIN PROVISIONS SHALL SUPERSEDE ANY RULE OR REGULATION OF THE PUBLIC PROCUREMENT REVIEW BOARD; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 35-1-21, Mississippi Code of 1972, is amended as follows:

35-1-21. (1) Upon the establishment of the Mississippi State Veterans Home, and any additional homes as may be established, the Mississippi State Veterans Affairs Board is hereby designated as the governing authority of any such facilities. The operation and maintenance of all veterans homes shall meet the standards of the United States Department of Veterans Affairs with regard to the operation of state veterans homes.

(2) The State Veterans Affairs Board may contract with nongovernmental entities or the United States Department of Veterans Affairs to operate and provide services to state veterans

homes. The board may contract with the vendor whose proposal is most advantageous to the state and veterans, taking into consideration cost factors, program suitability factors, management plan, delivery of care and service to residents, excellence of program design, key personnel, corporate or company resources, financial condition of the vendor, corporate experience and past performance, and any other requirements deemed necessary by the board and expressed in its solicitation for proposals. Contract(s) awarded under this section may be for periods exceeding one (1) year. The board is not required to select the vendor offering the lowest cost proposal, but shall select the vendor who, in the board's discretion, offers the proposal most advantageous to the State of Mississippi and veterans. When any contract is awarded, the reason(s) for the awarding of the contract shall be entered on the minutes of the board. The provisions of this paragraph shall supersede any rule or regulation of the * * * Public Procurement Review Board to the contrary.

(3) The State Veterans Affairs Board may, as permitted by federal laws or regulations, purchase from the United States Department of Veterans Affairs, from contracts established by the United States Department of Veterans Affairs, or through other sharing agreements between the board and the United States Department of Veterans Affairs, services, commodities, supplies and equipment for use in operation of, and provision of care to

residents of, the state veterans homes when such purchases or agreements are advantageous to the veterans and the state.

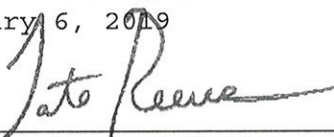
(4) The State Veterans Affairs Board may operate and maintain the state veterans homes without entering into any contract for management purposes with any nongovernmental entity or the United States Department of Veterans Affairs to operate the homes. In such instances, the State Veterans Affairs Board shall be solely responsible for the operation and maintenance of the state veterans homes and shall hire the administrators and all other personnel for the veterans homes. The mission of the State Veterans Affairs Board in managing the state veterans homes shall be to provide domiciliary care and other related services for eligible veterans in the most cost efficient manner.

(5) The State Department of Health shall perform an initial certification survey of the State Veterans Home in Collins, Mississippi, on or about July 1, 2000. The purpose of this initial survey is to provide a baseline for measuring the quality of care during the period for which this section applies. In addition to the initial certification survey, the State Department of Health shall, as appropriate and in its discretion, conduct periodic follow-up certification surveys, during the period for which this section applies, of the State Veterans Home in Collins, Mississippi.

SECTION 2. This act shall take effect and be in force from
and after July 1, 2019.

PASSED BY THE SENATE

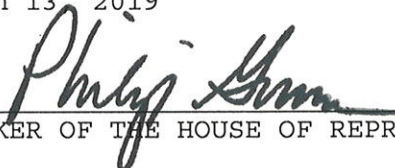
February 6, 2019



PRESIDENT OF THE SENATE


PASSED BY THE HOUSE OF REPRESENTATIVES

March 13, 2019



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

3/22/2019

2:48pm